THE HONOLULU REPUBLICAN!

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Real

HONOLULU, H. T., SATURDAY, OCTOBER 19, 1901.

PRICE FIVE CENT

HAGEY CURE PEOPLE WANT A NEW TRIAL

Motion to Set Aside the Verdict to Be Heard.

AFFIDAVITS BY THE WHOLESALE

J. M. VIVAS KNOWS OF SEVERAL V. FERNANDEZES WHO ARE RESIDENTS.

Judgment For \$30 For Plaintiff in M. Vivas Against Mele Akonf-Jury Trial Waived in Hackfeld &

Co. Against K. Ito-Court Notes.

Still the Hagey drink-cure matter insists upon demonstrating its ability to remain before the public. This morning the attorneys for the defendants, against whom a jury gave a verdict a few days ago, will present a motion for a new trial in the celebrated case of Thomas Milner Harrison against J. A. Magoon, F. B.

McStocker, L. C. Ables, Dorothea

Emerson (nee Lamb), T. E. Cowart, J. H. Kirkpatrick, A. E. Powter, J. Wolfenden and George D. Moore, in assumpait. Bond on motion for new trial and been filed and Kinney, Ballou & Mc-Cianahan will ask for a hearing on the motion before Judge Gear at 11 o'clock this morning.

Attorneys for defendants will ask that the verdict of the jury, in fivor of plaintiff Harrison for the full amount asked for, be set aside and that a new trial be granted the defendants on the fellowing grounds:

That the verdict of the jury was dered. contrary to law and the evidence and the weight of the evidence, and for HAWAHAN ELEGTRIC COMPANY errors of law occurring during the trial of the case, which were duly excepted to and allowed by the Court. and on the further group sitting in the case and rendering the

The motion is based on the affidavits of E. B. McClanahan, S. M. Bailou, W. A. Kinney, J. A. Magoon, D Emerson, L. C. Ables, J. M. Vivas, Vincent Fernandez and A. G. Kaululoou. These affidavits are attached to the motion for a new trial.

Attorney E. B. McClanahan's affidavit is to the effect that he had absolutely no knowledge at the time of the drawing of the jury that juror Vincent Fernandez had taken the Hagey treatment for alcoholism. and that he had no intimation of the fact until after the jury had refired to consider their verdict in the

McClanahan goes on to say that while the jury was out considering a verdict in the case, and Judge Gear. and several attorneys were in the verdict, the conversation turned to one seemed to know whether this was placed. a fact or not and the judge received no definite answer to his question.

Afterward, McClanahan goes on to say, he saw Judge Gear in his chambers, while the jury was still out considering the verdict. McClanahan informed Judge Gear that he intended to object to Juror Fernandez on the ground that he had at one time taken the Hagey treatment.

The jury was out so long that Judge Genr and everybody else went home, leaving the jury locked up in charge of the balliff. McClanahan states in his affidavit that he asked Judge Gear what brought about his remark in regard to Juror Fernandez, Gear anawored that an indistinct recollection had come to him that he had at some time seen a charge of \$100 in the books of his brother, A. V. Gear. against Vincone Fernandez, for the Hagey treatment.

The next morning McClanahan went to the office of A. V. Gear and verified the cumor that Juror Vincent Fernander had at one time taken the lag-cure. When McClanahan made his objection in Judge Gear's court nounced their purpose to recommend that morning he declares that the that the Government take by purchase, if jury had not returned any verdlet and that he had to idea as to what its verdict was, or was going to be, R M Ballon's affidavit is to the effect that he had no knowledge at the time of the drawing of the jury that Juror Pernandez had ever taken the Hagey cure, W. A. Kinney swears to the same end, as do also J. A. Magoon and the rest of the defendants. Defendant Magoon states in his affidavit that he had no conversation with his attorneys on the matter of the objection to Juror Fernander from the time that court adjourned, while the fary was out, until

court sat again in the morning. J. M. Vivas makes affidavit to the effect that he has resided in Honolule for the past fifteen years and that he knows of more than three male persons residing in the city by the name of V. Fernandez, and that the three V. Fernandez he has known resided here prior to the year 1897.

Gear Sustains Demurrer. Judge Gear has sustained the demur- the College Gloe Club.

Jocker against Carl H. Patsig and MIGER'S BOOK IS within five days, on the ground of ob-jection made by the defendants that there is a "misjoinder of parties in that defendant Caroline Patrig did not sign nor is she a party to the mortgage."

"When a husband shall purchase lands during converture, and shall at the same time mortgage his estate in such lands to "ecure the payment of the purchase money, his widow shall not be entitled to dower out of such lands as against the mortgagee or those claiming under him, although she shall not have joined in such mortgage, but she shall be entitled to her dower as against all other parties."

C. C. Bitting for plaintiff. Chas. Theighton for defendants.

Court Notes. The ejectment case of the Kapio-lani Estate against E. Peck & Com-Gear's court. Yesterday afternoon it was continued until Monday morning. Hackfeld & Company, by its attor-neys, Kinney, Ballou & McClanahan, waives a jury trial in the case of Hackfeld & Company against K. Ito. Motion to set a day for the admission of evidence in this matter has been

Plaintiff H. Hamano asks for the is mance of an attachment against the property of Defendant Kohachi Yamamura, for an indebtedness of \$954.-51, by his attorney. Wade Warren Thayer.

In the case of L. C. Ables against Charles J. Falk et al, it has been stipulated that the defendants, the Honolulu Stock & Bond Exchange and James F. Morgan, may have until the 25th instant in which to plead, demus or answer the plaintiff's bill ment of hundreds of volunteers, the department of hundreds of volunteers, the demands of the seaconst cities and towns for appeal in the jag-cure matter has of complaint. George A. Davis for L. C. Ables and Robertson & Wilder for the Honolulu Stock & Bond Exchange. Judge Gear has rendered a decision

in the case of J. M. Vivas against Mele Akoni, action to recover \$30 for professional services rendered by plaintiff. Under the proofs, says the decision, the plaintiff is entitled to a judgment for \$30 (the defendant making default), and costs, and it is so or-

IS AGAIN IN BAD ODGR

disqualification of one of the jurors | Elevator in Stangenwald Building Closed Down-No Explanation

The elevator in the Stangenwald building remained closed all day Thursday, it being explained that the repairs would be completed that night and the elevator running again Friday morning. But the elevator remained closed down all of yesterday. The trouble was with the electric machinery, the motor burning out. It was stated that the annoving breakdown was due to the miserable machinery put in by the Hawaiian Electric Company, and that little dependence could be placed on the reliability of the motor power under the electric arrangements made by that corporation. It was also stated that the owners of the court room, awaiting the return of the building will not continue much longer to be annoyed with such alcoholism and Judge Gear asked if impositions, and that the electric ap-It was not a fact that one of the jur- paratus will be thrown out and ors, Vincent Fernandez, had at one a gasoline engine substituted upon time taken the Hagey treatment. No which some dependence can be

For the past two days the numerous persons having business with the tenants of the big building have been compelled to walk up and down from one to six flights of stairs, and the imprecations heaped upon the miserable excuse for an electric company by the people subjected to this annoyance evidenced the unpopularity of the arrogant company and its miserable service.

PANAMA CANAL ROUTE.

Reported That the Canal Commission Will So Decide.

WASHINGTON, Oct. 5.—The members of the Isthmian Canal Commission are having a serious controversy over deare having a serious controversy over de-termining whether they will recommend to Cogress the construction of a canal by the United States Government over the Nicaragua or the Panama route. In the report, presented last winter, the Ni-caragua route was recommended by the entire commission. Since then serious obstacles are said to have been discov-erel in the way of engineering work on the Nicaragua Canal route, and some members of the commission have an-

that the Government take by purchase, if possible, the Panama property.

The commission's report has not been made up yet as to conclusions. Nothing but the conclusions remain for discussion, however. There will be a meeting of the commission in Washington within the next ten days, and then it is expected the matter of which route will be selected will be decided upon.

Former Senator Pasco of Florida is one of the men who has changed from the Nicaragun to the Panama route. He signed the Nicaragua report a year ago, and earlier in the summer he said he had not changed his mind. But since then he has changed, and is now very ant to record his vote, as a member of the commission, for the Panama route, basing his choice entirely upon the remort from the engineers who have examined both routes upon order of the commission.

The Malibean Society of Oshu College entertained the students and a number of friends in Pauahi hall yes-terday afternoon with their weekly rhetoricals. Music was supplied by

The court quotes section 1909 of the Civil Code, which reads as fol- Repeats the Story of the Spanish War Scandal.

FROM THE SECRETARY'S STANDPOINT

EX-SECRETARY DEFENDS ADMINISTRATION OF THE WAR DEPARTMENT.

pany, Limited, still continues in Judge Severely Scores General Miles For His Dilatory Criticism of Embalmed Beef-Roosevelt Institutes New Policy.

NEW YORK, Oct. 5.—Gen. Alger's book on the Spanish-American war, which his publishers state "has been delayed because of the death of President McKinley," will be issued next Thurs-

General Alger opens his book with a survey of the Cuban situation in 1898, mands of the seaconst cities and towns for immediate protection, and the savage crit-icism of the military administration's plans of organization and the battle with apparently endless shortcomings and grievances. Then follows the embarka-tion at Tampa which was severely criti-cised at the time, but which General Al-ger is convinced, all things considered,

was not a mistake.

The account of the march on Santiago is graphically pictured.

The book takes up the "round robin," siened by the general officers of Shafter's army, while the negotiations for surrender were pending, in which it was stated that "this army must move at once or it will perish," from the fevers threatening the camp. General Alger has no criticism to offer of the round robin itself, but says that its publication was self, but says that its publication was one of the most unfortunate and regreta-ble incidents of the war.

General Alger reviews at-length the differences between General Shafter and Admiral Sampson, and concludes the chapter with these words:

"It is difficult to account for Admiral Sampson's seeming attitude toward the army during the operations before San-tiago, as well as to excuse him for his tiago, as well as to excuse him for his contradictory statements subsequently made in his official report. After the 3d of July the admiral's conduct may be due to the keen disappointment resulting from his non-participation in the engagement with Cervera's squadron. Possibly he felt that Shafter's request for a conference on the morning of July 3d, innocent though it was was responsible for the annals of naval warfare

General Alger reviews the Miles Engan General Alger reviews the Miles-Eagan controversy over the alleged furnishing of "embalmed beef" to the army, and tells of the appointment by the President at his request of the commission to investigate the conduct of the War Department in the war with Spain.

Many thousands of soldiers were investigate the conduct of the war with spain. vited to give their evidence without re-

vited to give their evidence without regard to rank or service.

"On the 21st of December." continues General Alger, "the Major General commanding the Army of the United States appeared before the committee, then sitting in Washington, and made his statements with reference to the canned, fresh and refrigerated beef furnished to the army during the war.

"Although the commission had been sitting nearly three months, the charges with respect to canned and refrigerated beef were now made for the first time, and, stranger and more inexcusable and more unsoldierly still, during all these months, with this splendid knowledge of facts which if they existed, should have been made known to the Secretary of War for the protection of the army, General Miles had never mentioned the suberal Miles had never mentioned the sub-

PRESIDENT APPOINTS A SOUTHERN DEMOGRAT

WASHINGTON, Oct. 5.- The Presi-WASHINGTON, Oct. 5.—The President today decided to appoint to the vacant district judgeship in Alabama the former Governor. Thomas Goode Jones of that State. The appointment will be announced Monday. Governor Jones is a Democrat in good standing. He served as Governor of Alabama from 1800 to 1804, and his administration was distinguished for the suppression of lawlessness and also for twice raising the tax rate in the face of strong opposition, in order to preserve the financial credit of the State.

the State.

Gov. Jones is a lawyer of fine attainments and is well qualified for the post which he has been selected to fill. During the civil war he served with distinction in the Confederate army.

The appointment of Governor Jones is regarded here as a precedent of great importance. It marks out the path which Roosevelt has decided to follow in Southern appointments. The best available men for Federal offices will be chosen, regardless of their political affiliations. Southern Democrats are delighted with the President's decision and predict that if he pursues the policy which he has entered upon, it will bring about a great change of sentiment among the best Southern people.

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Catholic Church Program.

There will not be any services at the Catholic Cathedral this evening On Sunday morning the mission mass will be celebrated at 9 o'clock with a sermon by Father Megevney. High

mass at 10:30 and vespers, sermon by Father Boarman, Papal blessing and Benediction of the Sacrament at 7:39

p. m. This will be the concluding service of the mission.

On Monday morning at 6, 7 and 9 o'clock memorial masses for the re-pose of the souls of the departed relatives or friends of the members of the congregation will be celebrated.
Rev. Fathers Megerney and Boarman will leave by the Kinau on Tuesday next, going to La aina and Wal-

Anti-Saloon Committees. Dr. L. M. Hartley, of the Anti-Sa lcon League, has issued information cards giving the names of the officers

and committees that are at the head of this branch of temperance work; the same being as follows:

Rev. L. M. Hartley, Superintendent.

Trustee: Hon. J. B. Atherton, Hon.

P. C. Jones, J. P. Ccoke.
Officers: Theo Richards, president;
Rev. G. L. Pearson, 1st vice president; Mrs. J. M. Whitney, 2nd vice. president; Franklin H. Austin, 3rd vice president; Richard H. Trent. secretary; Hon. J. B. Atherton, Treas-

Committees: Agitation—W. K. Az-bill, Mrs. Castle Coleman, Henry C. Brown. Legislation—Rev. W. D. Westervelt, Rev. Wm. M. Kincaid, Rev. Abram E. Corv. Rev. W. H. Rice. Law Enforcement-W. C. Weedon, W. A. Bowen, Maj. G. Wood. Finance -Rev. J. P. Erdman, W. M. Temple

Outing of Juniors. It is today that the Juniors of the Y. M. C. A. will have their outing at Walkiki. Besides bathing at the residence of Mr. and Mrs. J. B. Castle,

the youngsters will have baseball and field sports in Kapiolani Park. They will leave the Y. M. C. A. at 9 this morning.

PERVERTED TASTE FOR FAKEFUL FANCIES

MANUEL GOUVEIA'S ENTANGLE-MENT BROUGHT FORTH TROUBLE.

Libel Case Caused Police Court Session To Be Prolonged-Embezzle ment Charges Against Chinese Employee Came Up Yesterday.

Manuel Gouvela's penchant for pur-

loining pernicious literature at last brought him into grievous trouble. The lad was arrested at the instigation of the Hawalian Gazette Company, he being charged with stealing papers after they had been scattered promiscuously about the streets. The boy was caught redhanded in the act and had some of the damaging evicent though it was was responsible for his being deprived of the honor of active. It participating as commander in chief in one of the most remarkable victories in dence in his possession when arrested. When he appeared before Judge School with the hope that his per-verted tastes in a selection of injurious reading matter might be corrected. The lad already showed symptoms of having fallen under the baneful influence of fakeful fancies, and Thurstonian thundering. The police are of the opinion that the youngster was taken in hand at a very critical time. The near relatives of the boy were present in the court room, and were visibly moved to tears over the total depravity displayed in one of such tender years, especially in his inordinate attachment for saffron sensationalism, sailing under the guise of missionary miscellany.

Almost the entire morning session of Police Court was devoted to the hearing of testimony in a libel case in which Pun Qui Lung alleges that Wong Shui King and Sze To Fook. manager and editor respectively of a Chinese publication libeled the plaintiff unjustly and without cause. The story of five witnesses dragged through the morning hours, and just prior to the noon hour, the case was ontinued over for another day. The ublishers' interests were looked after by Attorney W. L. Stanley. Attorneys Whitney and Robinson assisted in the prosecution. If yesterday's procedings could be taken as a crierion, the affair has settled down to a battle between the lawyers on the opposition sides The matter will come up for addi-

tional hearing today.

Lin Chai Bo, recently arrested for emberziement at Maui, appeared in court for preliminary hearing. Upon the request of his attorney Thomas Fitch, the case was carried over until Friday, Oct. 25th.

Nakamura, a Japanese driver, was riage ordinances. It was afterwards iscovered that the man was not a censed driver. He was granted a nolle pros., only to find that a charge of heedless driving had been lodged against his name in the interim Upon the last count the Japanese was granted a postponement until today. The Japanese is alleged to have caused the partial destruction of a wobbly wooden shack, by a collis

NOT BELIEVE, DISCUSSED

Father Boarman Corrects Prevailing Impressions.

WHY THE VIRGIN MARY IS HONORED

NOT IDOLATRY, BUT A SUCCES-SION OF CUSTOMS IN LINE OF DUTY.

Dilates Upon a Number of Points In stood, and Invites Attention of Protestants To Real Facts.

Another big audience crowded the Catholic Cathedral last night to hear Father Megevney lecture on "What Catholics Do Not Believe." It was one of the most scholarly lectures ever heard in Honolulu. While Father Boarman is undoubtedly the popular speaker, while he has that magnetiz-ing power to hold his audience spellbound under the influence of his pow-erful words, Father Megevney certainly is the orator, the debater, the scholar par excellence. His subject, it is true, was admirably adapted to the full development of his argumentative powers, and he acquitted himself with credit and scored a decided success.

cided success.

He spoke in part as follows:

My friends, I have no new proposition to demonstrate, no new ideas to develop. But as there are certain ideas and certain notions prevalent in certain communities, especially among our non-Catholic friends, I will endeavor touight to set things in their right places and thus put you on your guard from too readily be lieving, in the future, all the absurdities and sheer nonsense that is being said about the Catholic religion.

We have been told quite often that conversions to the Catholic faith have been delayed, sometimes for years, because some of the teachings, some of the

were not understood. Let us see.

Some people affirm that Catholics do not believe that Christ is the only mediator between God and man. Such an assertion is not only absurd but it is false, and they back up their assertion with the statement that Catholics worship the Virgin Mary and the saints. The

nference is altogether illogical and un-Let us grant that the help of saints s asked when we want a favor from God; out because we do so it does not follow but because we do so it does not follow that we worship or adore them. They seem to forget—if illey ever knew it— what Catholics do know, that the power of the saints is only through Jesus Christ, the Redeemer of the human race. He is alone the great senter of the Christian religion, the fountain of all grace, virtue

and merit. Catholics believe that the saints reign ng with Christ are to be honored and in ing with Christ are to be and invoked; that they of and invoked; that they offer their prayers to God for men and that their relies are to be held in veneration. We read in the first book of Paralipomenon (or 1 Chronicles) "And all the assembly blessed the Lord, the God of their fathers; and they bowed themselves and worshiped God, and then the king" (David).

"The continual prayer of a just man availeth much" (St. James v., 16); and we find St. Paul earnestly asking the prayers of the Roman Christians, saying: "I beseech you, therefore, brethren, through our Lord Jesus Christ, and by the charity of the Holy Ghost, that you hely me in your prayers to God" (Romans, xv., 30). All Christians allow that it is right and useful to ask the prayers of holy persons who are upon earth, it surely cannot be wrong or useless to ask the prayers of the saints in heaven.

now that they are so near to God, and in no danger of offending Him.

We have statues of saints in our churches. Stupidity goes so far as to affirm that we adore them. Don't you keep in your houses the photographs of your departed relatives or of your dead friends? Do you not honor and worship them?

Rightly to understand the Catholic decirine of the invocation of saints, it is necessary that Protestants should hear in

doctrine of the invocation of saints, it is necessary that Protestants should bear in mind that the word worship has different significations, according as it is applied to God or applied to creatures. Husbands worship their wives, at least I hope some of them do. Do you mean to say that they adore them as they adore God? When applied to God, it means the highest degree of honor due God as God, and to God alone.

When applied to things created, it means inferior, that is, less honor justly paid to them, either on account of their exalted position among creatures or on account of a special reference they hear to God.

There is a beautiful incident told of

There is a beautiful incident told of Maximilian, the Emperor of Mexico. When he was taken to be shot he was asked by the officer in charge if he had any request to make. Taking a locket from his coat pecket, he looked at it in silence, and then requested taht he be blindfolded: then he locked it, and handing it to Father Fisher, his spiritual adviser, said: "This locket contains the picture of my beloved wife; take it to her and tell her that my last look was directed to her beautiful face." How beautiful how natural, how human! It is animated by such a spirit that Catholics look at the nictures hanging on the walls of their churches.

another, you Catholics wor-sed Virgin. I can prove it your prayer book The reason so many Protestants ob-iest to join in the affection due our Mother of God, is because they do not properly comprehend and realize in their hearts the import of the title "Mother of God." Let us, then, see what it means: It does not mean that Mary is the Mother of the Divinity, if by divinity we understand the divine nature, for the dicine nature is uncreated eternal before
all worlds; nor does it mean that Mary
is the mother of the Secand Person of the
Bessed Trinity, God the Sea, which would
be the same as being mother of the divinity.
To assert this would be indeed not only
absurd but blasphemons. Nor does it
mean that Mary became the mother of a
person that did not exist before, as is the
case naturally with all ordinary mothers,
for the Sou of God who became the Sou
of Mary is himself co-eternal with the
Father. But it means that Mary is
Mother of God the Son with regard to
his human nature, which he assumed in
time and which He had not assumed before
He took it from Mary, for until then he
possessed only one nature, the divine.

The Blessed Virgin Mary, therefore, is
justly styled "Mother of God," because
she is the Mother of Jesus Christ, whose
humanity is assumed by and united to a
Divine Person, that is God the Son. No
wonder, then, that the Blessed Virgin
Mary should exclaim in her great praise
to God known as the Magnificat: "For he
that is mighty hath done great things to
me; and holy is his name." (St. Luke,
i., 49.)
Read what our illustrious American

Read what our illustrious American poet Longfellow has to say about the Virgin Mary. Whatever his religious belief may have been he had a manly instinct and could appreciate truth and

Oh, had I faith, as in the days gone by, That knew no doubt, and feared no mys-tery!

"And, if our faith had given us nothing Than this example of all womanhood, So mild, so merciful so strong, so good. So patient, penceful, loyal, loving, pure, This were enough to prove it higher and

Than all the creeds the world had known

before."

Well, says another, Catholics maintain that the Pope can never make a mistake in any matter; that he cannot err in any respect, therefore that he is siniess. Wrong again. You are still taking one thing for another. What the Catholic church maintains is that when the Pope deals with religious subjects or with morals, when he speaks to the whole Catholic church and says that this is revelation, it is true. There he is infallible. About all other matters he is only a man. When the Pope gives his opinion upon polities, literature or science he is liable to err, and the church does not claim infallibility for him in such a case. The church does not claim that the Pope is sinless. He is a man, and subject to all the failings and wickedness of man. But when he speaks as the vicar of Jesus Christ for the moral guidance of his flock, he is safely guarded by God.

Well, says another, Catholic church claims that all to do to have sins forgiven is to go to confession and secure indulgences.

It is a pity that so many Protestants

It is a pity that so many Protestants the whole or part of the debt of temporal nunishment of which a person may have

seen already forgiven in the sacrament of and put themselves in a state of grace before death.

A statement has been made by a certain society, which lived but a short life, that Catholics did not make good citizens. Such an assertion is an insult to millions of Catholic citizens throughout our land for since the war of Independence, Catholic citizens throughout our land for since the war of Independence, Catholic citizens throughout our land for since the war of Independence, Catholic citizens throughout our land for since the war of Independence, Catholic citizens throughout the land throughout the control of the cont tholics have been among the most loyal citizens of the United States.

citizens of the United States.

Let me read the following tribute of the loyalty and patriotism of the Catholics in the United States, in answer to an address from the elergy and laity congratulating Washington on his election as first President. Coming from him, who was a witness of the services rendered by Catholics to our country in its atruggle for independence, it is well worthy of preservation.

"Gentlemen— As mankind becomes more liberal, they will be more apt to allow that all those who conduct themselves as worthy members of the community are equally entitled to the pro-

shall continue, in whatever situation I ant comes and gives bimself up. it is may be it shall be my constant endeavor to justify the favorable sentiments which nient as possible to defendants and to justify the favorable sentiments which you are pleased to express of my conduct. And may the members of your church in America animated alone by the pure suirit of Christianity, and still conducting themselves as the faithful citizens of our free government, enjoy every temporal and spiritual felicity.

"GEORGE WASHINGTON."

"March 12, 1790." "March 12, 1790."

Those faithful citizens of 1790 were still loyal Americans during the war with Mexico, a Catholic country. And when, in 1828, war was deleared against Spain, another Catholic country. Catholics were among the first to take up their arms in defense of our country and our flag.

I am told that when members of that famous fanatic organization, known as the A. P. A. waged their unsuccessful campaign against Catholics in the United States, they tried also their unpatriotic part of the Emily Interest of the Cases of Captain George A. Baker of the Emily Reed, whose bail of \$100 was ordered forfeited. This affidavit was used by Captain George and calumnious work in these fair 1st.

mos you all

The "Opera Annex." A new beer saloon, opened on Queen street back of the Opera House, has been named the "Opera

At this stage of the game the light-weight champlonship is conceded to the

JUDGE ESTEE ORDERS THAT BONDS STAND

Bail Forfeited By Geo. Baker and Chas. Macdonald.

EMILY REED'S CAPTAIN AND MATE

THEY WERE HELD TO APPEAR ON OCTOBER 14, BUT DID

NOT DO SO.

Wallace of Sea King Makes Affidavit

That Baker Said He Would Not Return To Appear In Court To Answer Cruelty Charges. Colonel Thomas Fitch used all his

eloquence and argumentative power yesterday morning before Judge Morris M. Estee in the United States Dis-

peated after the name of Mate Chares Macdonald had been called. should be so ill informed about the doctrine of indulgences as to suppose that it means the forgiveness of a sin.

By an indulgence is meant not forgiveness of a sin, but the remission was one of the alternative conditions

Dunne contended for the Govern ment that the bond required the defendants to be at all times amenable Indulgences do not secure heaven, but to the order of the court, while the hasten the time of entering it to those who have already secured beaven by having obtained forgiveness of their sins circumstances of the cases and the alleged violations of the bond.

> Before deciding in each case, Judge Estee asked: "Is the defendant Colonel Fitch was compelled to answer that they were not present, also admitting that the defendants had not been present at the opening of

community are equally entitled to the protection of civil government. I hope to see America ever among the foremost nations in examples of justice and liberality. And I presume that your fellow citizens will not forget the patriotic part to secure his attendance. The afficiency was to be a secure his attendance. The afficiency was to be a secure his attendance. The afficiency was to be a secure his attendance. The afficiency was to be a secure his attendance. The afficiency was to be a secure his attendance and although the Court was taken by th which you took in the accomplishment of daylt is here and, although the Court their revolution, and the establishment of will not be controlled by an exparts their revolution, and the establishment of their government, or the important assistance which they received from that great French nation, in which the Roman Catholic faith is professed.

"I thank you, gentlemen, for your kind concern for me. While my life and health shall continue, in whatever situation I

nduct. their sureties." Colonel Fitch noted exceptions to the Court's rulings in the cases. Fitch has filed notice to the effect that defendants Boker and Macdonaid, by their attorney, will move to dismiss the "pretended and so-called nformation" filed in the cases, on

States, they tried also their unpatriotic and calumnious work in these fair Islands. I am told that you drove them to the ocean, and I hope that you will leave them there. All honor to you for that. God bless ron.

In conclusion, I appeal to you my dear Protestant friends, do not judge to Catholics too hastily. Let me beg of you to place yourself in a state of impartiality and lar aside that settled feeling of self confidence which leads you to take it for granted that Roman Catholics must be in the wrong.

May God grant you a smirit of humility to charity and justice, and, in the words of St. James. "I f any of you want wisdown, let him ask of God, who giveth to all men abundantly and upraiseth not and it shall be given him." May God lines you all.

The football Today.

The football Today.

The football team of the Honolulu Athletic Club will p'av the Hackfeld eleven this afternoon at the Punahou

Died at Anahola

D. K. Kahann manager of the Keall ranch, died last Friday. The news was brought b- the Iwilani yester-